

HB 2740 - S COMM AMD

By Committee on Labor, Commerce, Research & Development

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 68.20.010 and 1943 c 247 s 42 are each amended to
4 read as follows:

5 It is unlawful for any corporation, copartnership, firm, trust,
6 association, or individual to engage in or transact any of the
7 businesses of a cemetery within this state except by means of a
8 corporation or a limited liability company duly organized for that
9 purpose.

10 **Sec. 2.** RCW 68.20.020 and 1983 c 3 s 167 are each amended to read
11 as follows:

12 ~~((Any private corporation authorized by its articles so to do,))~~ A
13 corporation or limited liability company may establish, maintain,
14 manage, improve, or operate a cemetery, and conduct any or all of the
15 ~~((businesses))~~ business of a cemetery ~~(, either for or without profit~~
16 ~~to its members or stockholders. A nonprofit cemetery corporation may~~
17 ~~be organized in the manner provided in chapter 24.03 RCW. A profit~~
18 ~~corporation may be organized in the manner provided in the general~~
19 ~~corporation laws of the state of Washington))~~ if authorized to do so by
20 its articles of incorporation or its certificate of formation. The
21 corporation may be organized as either a nonprofit or for-profit
22 entity.

23 **Sec. 3.** RCW 68.20.050 and 1943 c 247 s 59 are each amended to read
24 as follows:

25 ~~((Unless otherwise limited by the law under which created[,]))~~
26 Cemetery authorities ~~((shall in the conduct of their business))~~ have
27 the same powers granted by law to corporations and limited liability
28 companies in general, including the right to contract ~~((such~~

1 ~~pecuniary)) financial obligations ((~~within the limitation of general~~~~
2 ~~law as may be required, and may)) and to secure them by mortgage, deed~~
3 of trust, or otherwise upon their property."

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4 On page 1, line 1 of the title, after "cemeteries;" strike the
5 remainder of the title and insert "and amending RCW 68.20.010,
6 68.20.020, and 68.20.050."

EFFECT: Clarifies that corporations and limited liability
companies may operate cemeteries, and the corporations may be run on a
nonprofit or for-profit basis.

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